



PATENT
Customer No. 22,852
Attorney Docket No. 08203.0005-04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
John BUTLER et al.) Group Art Unit: 3732
Application No.: 10/665,395) Examiner: A. Ramana
Filed: September 22, 2003) Confirmation No.: 4412
For: WOUND RETRACTOR SYSTEM)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In an Election/Restriction Requirement dated May 2, 2006, the response to which has been extended to November 2, 2006, by the five-month Petition for Extension of Time filed herewith, the Examiner required restriction under 35 U.S.C. § 121 between two allegedly independent and distinct inventions. These Groups include:

Group I: Claims 1-37; and

Group II: Claims 39-51.

Applicants provisionally elect to prosecute Group I, claims 1-37.

The Examiner also required election under 35 U.S.C. § 121 between various alleged patentably distinct species of the invention. These species include:

Species I: Fig. 27;

Species II: Figs. 31-33;

Species III: Figs. 34 and 35;

Species IV: Figs 41 and 42;

Species V: Figs 43-46; and

Species VI: Figs. 47-50.

Applicants provisionally elect to prosecute the species of Figs. 43-46. Applicants submit that at least claims 1-8, 14-16, 26, 27, 29, and 37 cover the alleged Species V.

All of these claims are generic to at least one additional species. Accordingly,

Applicants request that claims 1-8, 14-16, 26, 27, 29, and 37 be examined, and that claims 9-13, 17-25, 28, 30-36, and 39-53 be withdrawn from consideration.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: November 2, 2006

By: 

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